



**TOWN OF GRAFTON
ZONING BOARD OF APPEALS**

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MINUTES

ZONIG BOARD OF APPEALS
THURSDAY, JUNE 11, 2015
CONFERENCE ROOM A
AT THE MUNICIPAL CENTER

A meeting of the Zoning Board of Appeals was held on Thursday, June 11, 2015 in Conference Room A of the Municipal Center.

Members present: Mr. William McCusker- Chairman, Mr. Michael Robbins- Clerk, Mr. Peter Adams- Member, Mr. Elias Hanna-Member, Mr. William Yeomans-Alternate Member, Mrs. Kay Reed-Alternate Member, and Mr. Robert Berger – Zoning Enforcement Officer.

Absent: Robert Nault – Vice Chairman

Meeting called to order at 7:35 p.m.

Member Mr. Adams makes a statement regarding the recent passing of a prior Zoning Board of Appeals member, Captian Thomas R. Overdorf.

123-125 Ferry Street LLC requesting a 1 year extension to the start of the project

Mr. John Fernandez, 12 Main Street, Milford, MA, attorney for the applicant/owner of the Ferry Street project to speak on his behalf. The owner was working on another project off North Street that would possibly help finance this project. In April the owner appeared before the Planning Board and all the waiver requests were denied, so the project will not proceed. The owner is now trying again to obtain private financing for the project.

Comments from the Board:

Chairman McCusker, Mr. Hanna, and Mr. Robbins all agree this is a good project and would like to see this project go forward.

Mr. Hanna announced that he previously owned a property next to this property, but sold it approximately 5 to 6 months ago.

Chairman appoints Mr. Yeomans as voting member on this case.

Motion made by Mr. Hanna and 2nd by Mr. Adams to grant the extension of the start date of the Ferry Street LLC Development 40B project to 6/14/2016 and that this change is not a substantial change. On a roll call vote: Mr. Yeomans-yes; Mr. Adams-yes; Mr. Robbins-yes; Mr. Hanna-yes; Chairman –yes. 5-yes, 0-no Motion passed.

Zoning Board of Appeals

THURSDAY, JUNE 11, 2015

Page 2

High Point Estates – Street Lights

Mr. Berger has concerns that the street lights have not been installed and turned on. The Comprehensive Permit states that street lights need to be installed in the development.

Mr. Tim Barlow of Barlow Builders has been working with National Grid for the last 2 years to try and get the few lights that have been installed activated. The poles and lights were inspected by the town's electrical inspector and the National Grid's inspector and passed both inspections. The issue is that National Grid will not activate them because they have changed the guidelines for the size of the conduits used. All the conduits are underground and were installed in 2006. In 2012 National Grid changed the size of the underground conduit and the base of the pole. Mr. Barlow is currently working with National Grid to get this situation handled and the street lights activated.

Mr. Barlow will update Mr. Berger in 2 months as to the status with National Grid. Mr. Barlow thinks it may take 3-4 months to settle and get the street lights activated.

8:00 p.m. Case # 797 – 64 Carroll Road – Special Permit

The Board introduces themselves. Chairman reads rules of order. Clerk reads the legal notice.

Chairman appoints Mrs. Reed as a voting member on this case.

Mr. Edward Deveney of 64 Carroll Road, North Grafton explains that the bathroom would be for his 85 year old father-in-law to be able to move into the house. The spare bedroom that he would be occupying is located on the first floor and the bathroom would be right off that bedroom.

Questions from the Board: They asked the applicant is he is on town water and sewer, and he is.

Motion made by Mr. Hanna and 2nd by Mr. Adams to grant Mr. Edward Deveney of 64 Carroll Road, North Grafton, a special permit to add a bathroom of the bedroom located at the front of the house as depicted in Exhibit A.

On a roll call vote: Mr. Robbins – yes; Mr. Hanna-yes; Mr. Adams-yes; Mrs. Reed-yes; Chairman-yes. Motion passed 5-yes, 0-no.

Motion made by Mr. Hanna and 2nd by Mr. Adams to end case #797. 5-yes, 0-no case #797 closed at 8:21 p.m.

Mr. Berger, Zoning Enforcement Office leaves the meeting at 8:21 p.m.

Review of Minutes from 12/15/2014 meeting:

Motion made by Mr. Robbins and 2nd by Mr. Adams to accept the minutes from the 12/15/2014 meeting as submitted.

On a vote of 5-yes, 0-no, motion passed.

Review of Minutes from 4/1/15 meeting:

Motion made by Mr. Hanna and 2nd by Mr. Adams to accept the minutes as amended. On a vote of 5-yes, 0-no, motion passed.

Zoning Board of Appeals

THURSDAY, JUNE 11, 2015

Page 2

8:30 p.m. – Case #798 109 Creeper Hill Road – Variance

The Board introduces themselves. Chairman reads rules of order. Clerk reads the legal notice.

Mr. Robbins use to work with Attorney Nero who is representing the applicant.

Mr. Hanna is currently using the law firm Attorney Niro works for, so he will be recusing himself from this hearing.

Mr. Hanna leaves the meeting at 8:34 p.m.

Chairman appoints Mrs. Reed and Mr. Yeomans as voting members on this case.

Attorney Frank Nero of 16 Dudley Road, Mendon, MA, attorney for Mr. Mark Troiano, will be speaking on his behalf. The variance was issued a year ago, but Mr. Troiano has not pulled a building permit because he was waiting for his approvals from the DEP before he could pull the permit. He should be getting his approval from the DEP within the next month or so.

Chairman asks if there is anyone to speak in favor or against - no one to speak. Chairman asks if we have received any letters for or against. We have not received any letters.

Motion made by Mr. Adams and 2nd by Mr. Robbins to grant a Variance to Mr. Mark Troiano of Troiano Trucking of 109 Creeper Hill Road for relief from section 3.2.3.2, to allow for the construction of a building that encroaches in the 40' front yard setback by 17.32' at the building's northwest corner and by 2.28' at the buildings northeast corner, allowing the building to be located 22.68' from the front lot line at the building's northwest corner and 37.72' from the front lot line at the building's northeast corner of the building as depicted in Exhibit A.

On a roll call vote: Mr. Robbins-yes; Mr. Adams-yes; Mr. Yeomans-yes; Mrs. Reed-yes; Chairman-yes. 5-yes, 0-no motion passed.

Motion made by Mr. Robbins and 2nd by Mr. Adams to close the hearing on Case #798. 5-yes, 0-no, case closed at 8:50 p.m.

Motion made by Mr. Robbins and 2nd by Mrs. Reed to adjourn the meeting. On a vote of 5-yes, 0-no, motion passed, meeting adjourned at 8:51 p.m.

Respectfully submitted by:
Katrina Koshivos



Mr. Michael Robbins - Clerk